

More specifically, the only real difference between the two groups is that the claims of Group A specify a full heat exchanger including headers whereas the claims of Group B do not call for headers.

Quite clearly, the provision of headers on heat exchanger cores is more the rule than the exception and thus, there is no patentable difference between the claims of Groups A and B. Clearly, the Examiner in error in stating that the heat exchanger claims of subgroup A do not require the details of the subcombination of subgroup B. The converse is clearly true because the mere presence of broadly recited headers in a heat exchanger certainly does not lend patentability to the claims.

Similarly, the suggestion by the Examiner that the subcombination has separate utility is likewise in order. The only utility found in the subcombination per se is that it can be used to form a heat exchanger, when headers of some sort or another are added. Without headers, the subcombination has no utility other than, perhaps, as a paper weight.

It therefore follows that the restriction between the claims of subgroup A and the claims of subgroup B is improper and should be withdrawn. Solely to comply with the applicable rules, Applicants herewith elect the claims of subgroup A.

(3) As to the election of species, Applicant elects the species of Figs. 1-3 and 10-13 for prosecution on the merits. However, it is believed

that the claims to all species should be acted upon because claim 13 clearly is generic to all forms of the invention.

Respecting the claims, and a listing of their readability, as noted immediately preceding, claim 13 reads on all embodiments of the invention.

Claim 14 reads on all embodiments of the invention except for that shown in Fig. 9.

Claim 15 reads only on the embodiment illustrated in Fig. 9.

Claim 16 reads on the embodiment of Fig. 11 as applied to any of the other embodiments of the invention.

Claim 17 reads on the embodiment of Fig. 10 as applied to all embodiments of the invention.

Claim 18 reads on the embodiments illustrated in both Figs. 10 and 11 as applied to all other embodiments of the invention.

Claim 19 reads on the embodiments of claims 1-3 and 6-8 (as modified by any of the embodiments of claims 10-13).

Claim 20 is classified with claim 19 except that it is applicable only to claim 13 and the subembodiment claimed there.

Claim 21 is classified with claim 18 and further narrowed to the embodiments of Figs. 4 and 5.

Claims 22-26 are classifiable with claim 21.

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Index 899
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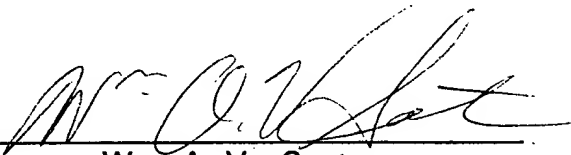
Claims 27 and 28 are readable on the embodiment illustrated in
Figs. 6-8.

Claims 29 and 30 are generic to all aspects of the invention when
considered with the particular features shown in Figs. 10 and 11.

An action on the merits is awaited.

Respectfully submitted,

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